

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2686 – HB 3051

April 3, 2012

SUMMARY OF AMENDMENT (015919): Deletes all language after the enacting clause. Authorizes specified Court Clerks to charge a one-time \$120 electronic filing system subscription fee for each registered user. Authorizes the Clerk to charge an electronic copy transaction fee not to exceed \$.08 per page. Prohibits the transaction fee from applying to the first electronic copy of any document requested by a litigant or a litigant's attorney, and requires a total charge not exceeding \$2.10 for any single document. Authorizes fees to be set by local court rule to defray expenses associated with the implementation and maintenance of an electronic filing system. Exempts the state from the fees. Prohibits a court from requiring the state and any state department to electronically file documents.

CORRECTED FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures - \$120,000/One-Time

Increase Local Revenue – Exceeds \$72,000/One-Time/Permissive

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase Local Revenue – Exceeds \$72,000/One-Time/Permissive

Assumptions applied to amendment:

- According to the Comptroller of the Treasury, the Shelby County Circuit Court Clerk's Office will implement an electronic filing system within the next six to eight months. There are 1,200 attorneys who file civil cases in Shelby County.
- Assuming 50 percent of the Shelby County attorneys subscribe to the system, and the county charges the full \$120, the one-time increase in local revenue is \$72,000 [(\$120 x 1,200 attorneys) x 50%].
- It is assumed that most attorneys will only need one electronic copy of any document; therefore, any revenue derived from copy transaction fees will be not significant.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/sbh